

**UNITED STATES BANKRUPTCY APPELLATE PANEL  
OF THE TENTH CIRCUIT**

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IN RE DONALD M. SMITH,  
Debtor.

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BAP No.    WO-12-107

UNION BANK, N.A.,  
Appellant,

Bankr. No. 12-11007  
Chapter 7

v.

DISMISSAL ORDER

LYLE R. NELSON, Chapter 7 Trustee,  
POWERSMITH COGENERATION  
PROJECT, MANAGEMENT LIMITED  
PARTNERSHIP, LEVENBERG  
ASSOCIATES LIMITED  
PARTNERSHIP, JAMES R. BEERS,  
and LAWRENCE BRANDT,

January 30, 2013

Appellees.

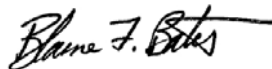
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The matter before the Court is the Joint Agreement to Dismiss Appeal filed by the parties on January 30, 2013.

Accordingly, it is HEREBY ORDERED that:

- (1) This appeal is DISMISSED. Fed. R. Bankr. P. 8001(c)(2).
- (2) Any deadlines previously set by the Court are VACATED.

For the Panel:



Blaine F. Bates  
Clerk of Court